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425 PARK AVENUE NEW YORK, N.Y. 10022 (212) 836-8000

901 FIFTEENTH STREET, N.W., SUITE 1100

(202) 682-3500

Federal Communications Commission Office of the Secretary

Office of the Control

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Tower I, 32™ Floor

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If Yes, state:

Call letters

City

Approved by OME 3060-0027 Expires 2/28.92

FCC 301 washington, D. C. 20554 See Page 25 for information APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION For COMMISSION Fee Use Only For APPLICANT Fee Use Only $Z_{i}(t)$ FFF NO is a fee submitted with this application? ₩ Yes No If fee exempt (see 47 C.F.R. Section 11112). FEE TYPE indicate reason therefor (check one box): Noncommercial educational licensee FEE AMT: Governmental entity FOR COMMISSION USE ONLY ID SEO: FILE NO. Section I - GENERAL INFORMATION Send notices and communications to the fallowing i. Name of Applicant person at the address below: Julie K. O'Connor Name OCT 2 - 1991 Julie K. O'Connor Federal Communications Commission Office of the Secretary Street Address or P.O. Box Street Address or P.O. Box P.O. Box 111333, Suite 317 P.O. Box 111333, Suite 317 ZIP Code 96743 ZIP Code City State City State 96743 ΗI ΗI Kamuela Kamuela Telephone No. I include Area Code! Telephone No. finciude Area Codel (808) 885-3591 (808) 885-3591AM TV 2 This application is for. FM (a) Channel No. or Frequency City State (b) Principal 256C Community ΗI Waimea (c) Check one of the following boxes Application for NEW station MAJOR change in licensed facilities call sign: MINOR change in licensed facilities; call sign: MAJOR modification of construction permit; call sign: File No. of construction permit: MINOR modification of construction permit; call sign: File No. of construction permit: AMENDMENT to pending application; Application file number: NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information. Y⇔ XX No 3. Is this application mutually exclusive with a renewal application?

Community of License

State

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant
Julie K. O'Connor

Date

October 1, 1991

October 1, 1991

October 1, 1991

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers and applications examiners, will use the information to determine whether the application, should be granted, denied, dismissed, or designated for hearing. If all the information is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 71 hours 45 minutes to 301 hours 30 minutes with an average of 118 hours 28 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications. Commission, Office of Managing Director, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0027), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM	
1. Does the applicant propose to employ five or more full-time employees?	Yes No
If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Emplo Opportunity Program Report (FCC 396-A).	oyment
SECTION VII - CERTIFICATIONS	
1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 78.8580?	Yes No
2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?	Yes No
If No, attach as an Exhibit, a full explantion.	Exhibit No.
3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.	
Name of Person Contacted	
Telephone No. (include area code)	
Person contacted: (check one box below)	
Owner Owner's Agent Other (specify)	

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

Engineering Exhibit

APPLICATION FOR CONSTRUCTION PERMIT

prepared for **Julie K. O'Connor** Waimea, Hawaii

June 3, 1991

Lahm, Suffa & Cavell, Inc.

Consulting Engineers 3975 University Drive Suite #450 Fairfax, VA 22030 703-591-0110

ENGINEERING EXHIBIT

Application for Construction Permit

prepared for Julie K. O'Connor Waimea, Hawaii

Ch 256C 42 kW (H&V) 860 m

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Figure 4 Proposed Antenna Elevation Pattern

Statement C Other Considerations

		FOR COMMISSION USE ONLY File No.
Section V-B - FM BROADCAST ENGI	NEERING DATA	
Name of Applicant	Referred by	
Julie K. O'Connor		
Julie R. U Connor		
All letters (17 1339447)	is this application be window?	eing filed in response to a X Yes
N/A	If Yes, specify closing	ng date: October 3, 1991
Purpose of Application: (check appropriate boxles	:11	
X Construct a new (main) facility		Construct a new auxiliary facility
Modify existing construction permit facility	or main h	Modify existing construction permit for auxiliary acility
Modify licensed main facility	<i>h</i>	Modify licensed auxiliary facility
purpose is to modify, indicate below the na affected.	ture of change(s) and	specify the file number(s) of the authorizations
Antenna supporting-structure height	F	Effective radiated power
Antenna height above average terrai	n F	requency
Antenna location		Class
Main Studio location		Other (Summarize briefly)
File Number(s)		
1. Allocation:		
		Clam I de la 1 1 1 1
1		
1		

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

	lication propose to cold coordinates.	orrect previo	ous site coord	dinates?			У	es X No
Latitude	0	3	#	Longitude	0		1	"
If Yes, give determination Not	been notified of the date and office when the data are determined in the data are determined and determined are determined and determined are	er FCC o	as filed and		thibit a copy	of FAA		es X No bit No. A
6. List all land nearest run	ling areas within 8 k way. Landing Area	m of antenn		fy distance and	d bearing fr		re to nearest	
(a) N	one							
(b)								
7. (a) Elevation:	(to the nearest meter)							
(1) of site	e above mean sea lev		ined fro -9006111	om KLUA ap	р.	_	1609	meters
	e top of supporting s rtenances, and lighting		-	including anter	nna, all othe	r _	152	meters
(3) of th	e top of supporting s	tructure abo	ove mean sea	a level [(a)(1) +	+ (a)(2)]	-	1761	meters
(b) Height of	radiation center: /t	o the nearest	meter/ H =	Horizontal; V =	Vertical			
(1) above	ground					-	108	_ meters (
	•					-	108	_ meters (
(2) above	e mean sea level	(aX 1) + (bX 1)	1			_	1717	meters (
						_	1717	_ meters (
(3) above	e average terrain					_	860	_ meters (
							860	_ meters (
in Question	Exhibit sketch(es) of 7 above, except item ghts and orientations	7(b)(3). If m	nounted on a	n AM direction	al-array ele	ment,		ibit No.
9. Effective Ra	adiated Power:							
(a) ERP in t	he horizontal plane		39	kw (H*)	39	kw (V*)		
(b) Is beam	tilt proposed?						X Y	es No
	pecify maximum ERI elevational plot of r			ed beam, and at		Exhibit a	Exh! Fig	bit No.
*Polariza	ition							•

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 3)

10.	Is a directional antenna proposed?	Yes X No
	If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 78.816, including plot(s) and tabulations of the relative field.	Exhibit No. N/A
11.	Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 78,315(a) and (b)?	X Yes No
	If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.	Exhibit No. N/A
12.	Will the main studio be within the protected $8.16~\text{mV/m}$ field strength contour of this proposal?	X Yes No
	If No, attach as an Exhibit Justification pursuant to 47 C.F.R. Section 78.1125.	Exhibit No. N/A
13.	(a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 78.207?	X Yes No
	(b) If the answer to (a) is No, does 47 C.F.R. Section 78.218 apply?	A Yes No
	(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.	Exhibit No. N/A
	(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.	Exhibit No. N/A
	(e) If authorization pursuant to 47 C.F.R. Section 78.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:	Exhibit No. N/A
	 Protected and interfering contours, in all directions (360°), for the proposed operation. Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location. 	
	 (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur. (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified. (5) The official title(s) of the map(s) used in the exhibits(s). 	
14.	Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast lexcept citizens band or anateur) radio stations, or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas, or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?	X Yes No
	If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use	Exhibit No. Stmt A

prior to grant of this application. (See 47 C.F.R. Sections 73.375(b), 73.376(e) and 73.378.)

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.	Exhibit No. Fig. 2
16. Attach as an Exhibit (name the source) a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:	Exhibit No. Fig. 3
(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;	
(b) the 3.16 mV/m and 1 mV/m predicted contours; and	
(c) the legal boundaries of the principal community to be served.	
17. Specify area in square kilometers (1 sq. mi 259 sq. km.) and population (latest census) within the predicted 1 mV/m contour. (land area only) Area 4,928 sq. km. Population 33,047	
18. For an application involving an auxiliary facility only, attach as an Exhibit a map (Sectional Aeronautical Chart or equivalent) that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers.	Exhibit No. N/A
(a) the proposed auxiliary 1 mV/m contour; and	•
(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.	
19. Terrain and coverage data Ito be calculated in accordance with 47 E.F.R. Section 73.3131	
Source of terrain data: Icheck only one box below?	
Linearly interpolated 30-second database 7.5 minute topographic map	
(Source:)	
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	Height of radiation center above average	Predicted Distances			
Radial bearing (degrees True)	elevation of radial from 8 to 16 km (meters)	To the 3.16 mV/m contour (kllometers)	To the 1 mV/m contour (kilometers)		
38 *	935	68.9	93.8		
0	1306	75.5	101.0		
45	844	66.6	91.4		
90	132	29.5	48.1		
135	-99	14.4	25.5		
180	788	65.0	89.7		
225	1306	75.5	101.1		
270	1370	76.6	101.9		
315	1230	74.3	99.9		

^{*}Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

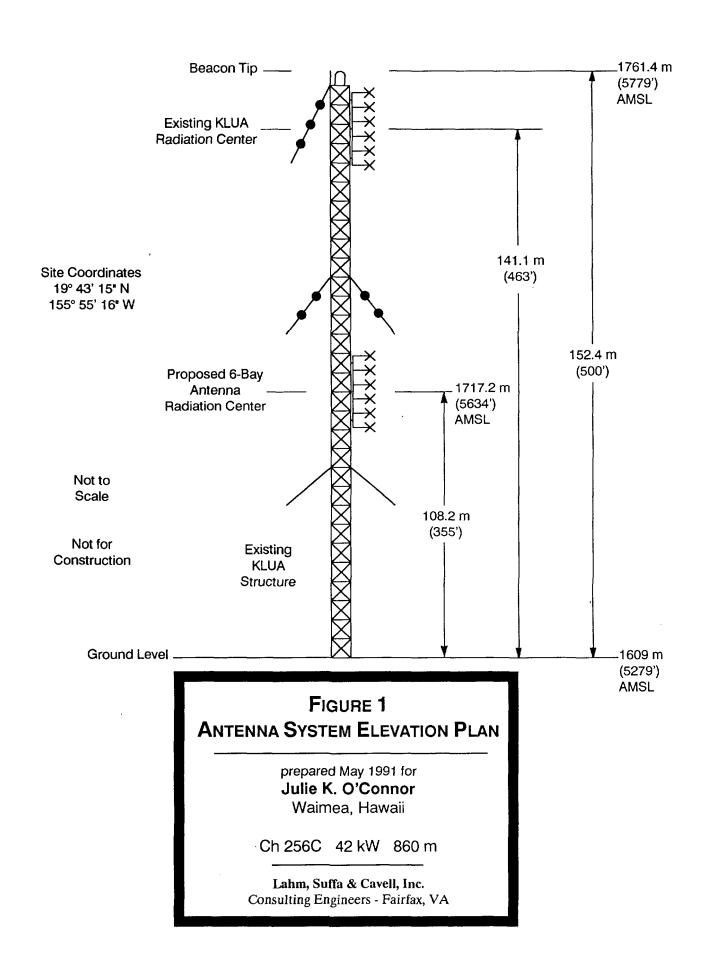
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ZU.	Environmental	Sistement/See	47 f. F.R.	Section	1 1701	at co	on)	

Would a Commission grant of this that it may have a significant envi	application come within Section 1.1807 of the FCC Rules, such ironmental impact?	Yes X No
If you answer Yes, submit as an Ex	hibit an Environmental Assessment required by Section 1.1311.	Exhibit No.
If No, explain briefly why not.	Categorically excluded per 1.1306. See Statement B.	

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed)		Relationship to Applicantle.g., Consulting Engineer?
Ann Ga	llagher	Consulting Engineer
Signature () ()	ballagher	Address (Include ZIP Code) Lahm, Suffa & Cavell, Inc. 3975 University Drive, Suite 450 Fairfax, VA 22030
Date	V	Telephone No. linciude Area Codel
June 3, 1991		(703) 591-0110



Statement A INTERFERENCE CONSIDERATIONS

prepared for Julie K. O'Connor Waimea, Hawaii

Ch 256C 42 kW (H&V) 860 m

It is proposed to locate the Pierless transmitter at a multi-user site atop Cadillac Mountain in Waimea, Hawaii. The site is remote with respect to any residence or other broadcast transmitter now operating. Blanketing interference, if it occurs, will not affect any residents, as there are no homes near the site. Any effect will be confined to visitors to the immediate vicinity of the site. There are other non-broadcast facilities located at the site; the low power and diverse frequencies involved make interference unlikely. No AM facilities are located within 3 kilometers of the site and no other FM stations are located within 10 kilometers of the site. Although no adverse effects are expected, the applicant has been made aware that interference may occur as a result of the operation proposed herein. Pierless is aware of the obligation to take steps to remedy any interference, as required by the FCC Rules. Such steps might include, but are not limited to, the installation of filters on affected equipment.

Statement B

ENVIRONMENTAL CONSIDERATIONS

prepared for Julie K. O'Connor Waimea, Hawaii

Ch 256C 42 kW (H&V) 860 m

The instant proposal is not believed to have a significant environmental impact as defined under Section 1.1306 of the Commission's Rules. Consequently, preparation of an Environmental Assessment is not required. The following information was provided by the applicant.

Nature of The Proposal

This application proposes construction of a new FM radio station near Kaupulehu Crater in Acadia National Park, Maine. Although the site is located within a National Park, preparation of an environmental assessment is not believed to be required. Pierless submits the following information for consideration by the Commission.

Pierless proposes to side mount a two bay Shively model 6810 antenna near the top of an existing 50 foot antenna structure owned by the National Park Service (NPS). An existing NPS antenna will be relocated at a lower elevation on the tower. There will be no change in the overall structure height if this construction permit is granted and construction is completed.

In addition to the tower proposed for use by Pierless, the proposed site has two buildings which support roof mounted antennae. These buildings and antennae are used by a variety of Federal, State and local governmental agencies for land mobile transmitters. The site is, therefore, a developed radio transmitting site. Among other users at the site are National Park Service, FBI, Maine State Police, Hancock County Sheriff's Department, and the Bar Harbor Police Department.

Pierless has negotiated an agreement with the National Park Service for use of the site. Mr. John Hauptman, Supervisor of Acadia National Park has consented to the proposed Pierless installation. The applicant has made a promise to accept and encourage other radio users to locate at the site. Pierless believes that at least one, if not more, broadcast facilities can operate from this location.

Statement B

(2)

Pierless intends to construct a building in accordance with Park Service guidelines, so as to minimize the visual impact of the proposed construction. This may, ultimatly entail construction of a below ground building. The site area, including the existing buildings and NPS tower, is currently fenced.

Section 1.1306(b), Note 1, indicates that the use of existing towers is environmentally desirable. Since the site currently accommodates a multitude of radio users, and use of the site by Pierless has been approved by the National Park Service, it is believed that preparation of an environmental assessment is not required, and this proposal may be categorically excluded from environmental processing.

Human Exposure to Radiofrequency Radiation

The proposed transmitting system will comply with the guidelines for human exposure to RF radiation contained in ANSI guideline C95.1-1982. The FCC has adopted the ANSI guideline as the maximum allowable exposure levels for humans in the vicinity of transmitting antennas.

The proposed installation has been studied using the criteria set forth in FCC OST Bulletin No. 65 criteria. Under Commission policy, a facility may be presumed to comply with FCC environmental rules if the calculated RF energy level at any point on the ground does not exceed the ANSI C95.1-1982 Radio Frequency Protection Guide (ANSI RFPG).

The tower proposed for use herein will support both the proposed Pierless operation and a land mobile (intermittent duty) antenna. Pierless has proposed use of a two bay Shively Model 6810 antenna at a height of 13.2 meters above ground. When the vertical radiation characteristics of this antenna are employed, the RF exposure levels at 2 meters above the ground will not exceed the ANSI guideline. The other transmitters located at the site are relatively low power (approximately 100 watts) and operate with intermittent duty cycles. These may be excluded from consideration.

Figure 4 is the manufacturer's elevation pattern for the Shively 6810 2-bay antenna. Table 1 presents a tabulation of the elevation pattern, along with a detailed determination of electromagnetic exposure levels 2 meters above the ground. For purposes of this evaluation, the ground around the supporting structure is assumed to be flat.

Statement B

(3)

Exposure levels were computed for points two meters above ground level, with points being located based on intervals of depression angles from the proposed antenna radiation center. The direct path (slant distance) from the radiation center was used in the formulae of <u>OST Bulletin No. 65</u> for determination of the exposure level at two meters above ground.

As shown in Table 1, the worst case exposure level is well below the 1000 uW/cm² ANSI guideline limit for continuous exposure. Thus, Pierless will comply with the Commission's Rules regarding human exposure to RF radiation.

The site is currently fenced to limit access to authorized personnel only. Pierless will post signs to alert workers that potential RF hazards may exist above ground level. A policy will be developed in conjunction with NPS which sets forth positive measures to ensure worker safety. Such measures might include, but are not limited to, reduction of power or station shutdown.

In the event that other users seek to operate from this site, Pierless will cooperate to the extent required by the FCC Rules and NPS to ensure worker and public safety. It is anticipated that other users could be accommodated with lower power levels, tower height increases (if approved by NPS) and/or specially designed antennas.

Conclusion

Based on the above information, it is believed that the instant proposal may be categorically excluded from environmental processing under Section 1.1306 of the Rules. Pierless will supply further information upon request.

Table 1 CALCULATED RF ENERGY LEVELS

prepared for Julie K. O'Connor Waimea, Hawaii

Ch 256C 42 kW 860 m

Depression	Relative	Slant	RF
Angle	<u>Field</u>	Distance	<u>Level</u>
(°)		(m)	(uW/cm^2)
90	* 0.10	11.4	24.7
80	0.17	11.6	68.9
70	0.34	12.1	253
60	0.45	13.1	378
55	0.49	13.9	399
50	0.47	14.9	319
45	0.43	16.1	229
40	0.32	17.7	105
35	0.20	20.0	32.1
30	* 0.10	22.8	6.2
25	0.21	27.0	19.4
20	0.45	33.3	58.6
15	0.65	44.0	70.0
10	0.84	65.6	52.6
5	** 1.0	131	18.7
0	** 1.0	653	0.8

^{*} Assumed minimum radiation level

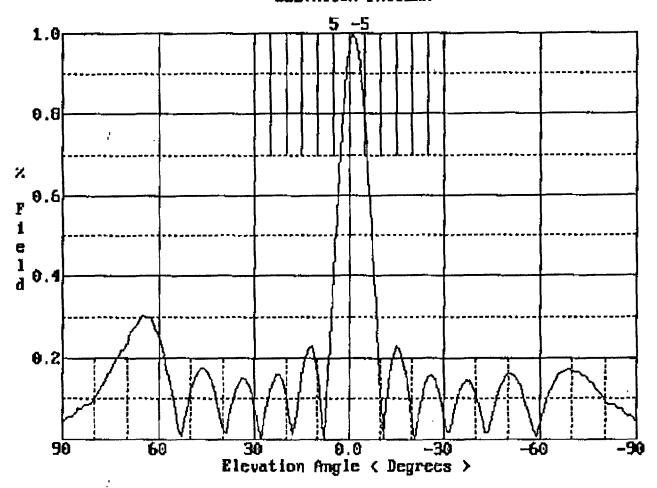
^{**} Assumed maximum radiation level

FIGURE 4 ANTENNA ELEVATION PATTERN

prepared May 1991 for Julie K. O'Connor Waimea, Hawaii



ELEVATION PATTERN



Jahalladan Amialladahahadas

Customer:	date:	_
Frequency: 99.1 Tyr	e: 6-Bay FM	
Beam tilt; -1.5	Null fill:	
Notes: Elevation pattern p	otted in relative field	

Statement C

OTHER CONSIDERATIONS

prepared for Julie K. O'Connor Waimea, Hawaii

Ch 256C 42 kW (H&V) 860 m

The proposed Pierless site is used by U.S. Governmental agencies and other private land mobile facilities. In preparing this application, it became apparent that some geographic coordinate data for the Park Service tower and other Federal radio facilities differs slightly with respect to the actual tower and building locations. The geographic coordinates provided herein were determined from a detailed description of the site, provided by the applicant. It is clear that the coordinates used by at least one Federal transmitter are wrong. The applicant believes that the coordinates provided herein are the most accurate description of the tower location. In any event, the Federal installations are not regulated by the Commission, and the discrepancy should not impact on this proposal.

The proposed Pierless site is short spaced as a class B operation with respect to a proposed facility upgrade on channel 300 in Skowhegan, Maine. That proposal requests that the Bar Harbor allotment be downgraded to class B1. Since the Bar Harbor allotment has been assigned for some time, it is believed that the Skowhegan proposal is not believed to consideration of the Skowhegan proposal is not believed.

